



IN THE UNITED STATES OF AMERICA  
PATENT AND TRADEMARK OFFICE

FILING DATE: 07/15/03 APPLICANT: Prevost, et al.

EXAMINER: Marx, Irene ART UNIT: 1651

SERIAL NO.: 10/619,833 ATTY. REF.NO.: 8482.014

TTILE: Substantially Fat Free Products from Whole Stillage Resulting from the Production of Ethanol from Oil-Bearing Agriculture Products

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that the following paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

- Response to the July 3, 2006 Office Action (7 pages);
- Transmittal Form (1 page)
- Certificate of Mailing (1 page); and
- Stamped, Return Postcard

August 31, 2006

Ashley Anderson  
Ashley Anderson



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number	10/619,833
Filing Date	07/15/03
First Named Inventor	Prevost, et al.
Art Unit	1651
Examiner Name	Marx, Irene

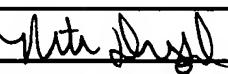
Attorney Docket Number

8482.014

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Response to July 3, 2006 Office Action (7 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Stamped return postcard
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	<b>Remarks</b>	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Roy, Kiesel, Keegan & DeNicola		
Signature			
Printed name	Niti Duggal		
Date	08/31/06	Reg. No.	56,182

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Ashley Anderson		
Typed or printed name	Ashley Anderson	Date	08/31/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES**  
**PATENT AND TRADEMARK OFFICE**

**FILING DATE:** 07/15/03

**APPLICANT:** Prevost et al.

**EXAMINER:** Marx, Irene

**ART UNIT:** 1651

**SERIAL NO.:** 10/619,833

**ATTY REF. NO.** 8482.014

**TITLE:** Substantially Fat Free Products from Whole Stillage Resulting from the Production of Ethanol from Oil-Bearing Agriculture Products.

**Response to July 3, 2006 Office Action**

The Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

This paper is in response to the Examiner's Action mailed July 3, 2006 requiring that a response be mailed to the Office before the shortened statutory period for response to the action that is set to expire on October 3, 2006. This response is believed to be timely filed, and no fees are known or believed to be due. However, in the event that this response is untimely or any fees are due, then the applicant respectfully requests the necessary extension and the Commissioner is hereby authorized and requested to charge deposit account 18-2210 any fees due in connection with this response.

**REMARKS**

Claims 1-7 and 29 are in the case. Claims 1-7 and claim 29 have been considered by the Examiner on the merits and rejected. The Examiner's rejection is respectfully traversed, and reconsideration of the same is requested.

**Claim Rejections – 35 USC § 103 (a) Obviousness**